

The Kantrow Law Group, PLLC
Proposed Attorneys for Allan B. Mendelsohn, Trustee
732 Smithtown Bypass, Suite 101
Smithtown, New York 11787
Fred S. Kantrow, Esq.
516 703 3672

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 11
Case No.: 23-72433-reg

SPROUT MORTGAGE LLC,

Debtor.
-----X

AFFIRMATION OF NON-COMPLIANCE

WHEREAS, by Order dated October 30, 2023 (the “October 30, 2023 Order”), which appears on the Court’s electronic docket at ECF No. 197, the Court directed Shea Pallante (“Pallante”) to produce documents demanded to a prior Order of the Court and subpoena issued pursuant thereto, by not later than November 6, 2023; and

WHEREAS, by the October 30, 2023, the Court further directed Pallante to appear for an oral deposition on November 14, 2023, at 12:00 noon; and

WHEREAS, Pallante failed or refused to comply with the October 30, 2023 Order, insofar as he: (i) failed to produce documents by the November 6, 2023, deadline; and (ii) failed to appear for his oral deposition on November 14, 2023; and

WHEREAS, pursuant to the October 30, 2023 Order, Allan B. Mendelsohn, the operating trustee (the “Operating Trustee”) was directed to file an affidavit of non-compliance in the event that Pallante failed to comply with the terms of the October 30, 2023 Order; and that upon the filing of such affidavit of non-compliance, the Court would consider whether to issue a bench warrant for the arrest of Pallante and for the delivery of Pallante to the Court for further proceedings.

The Operating Trustee respectfully submits this as and for his Affirmation of Non-Compliance and respectfully requests that the Court issue a bench warrant for the arrest of Pallante and direct that he appears before the Court for further proceedings.

S/Allan B. Mendelsohn
Allan B. Mendelsohn

Sworn to before me on this
14th day of November 2023

S/Carolyn Rose Iraci
Notary Public State of New York
No. 01IR6371780
Qualified in Suffolk County
Comm. Exp. 3/5/26